Entered on Docket May 09, 2018

EDWARD J. EMMONS, CLERK U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA



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The following constitutes the order of the court. Signed May 9, 2018

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Attorney for Debtors

U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

) Case No. 13-41687-CN-13
) Chapter 13
) FINAL ORDER ON MOTION TO) VALUE COLLATERAL OF WELLS) FARGO BANK, NA AS SUCCESSOR IN) INTEREST TO WACHOVIA AS) SUCCESSOR IN INTEREST TO) WORLD SAVINGS BANK (SECOND) DEED OF TRUST) UNDER § 506 AND) FRBP 3012)

On April 24, 2013, this Court entered an ORDER VALUING COLLATERAL OF WELLS FARGO BANK, NA AS SUCCESSOR IN INTEREST TO WACHOVIA AS SUCCESSOR IN INTEREST TO WORLD SAVINGS BANK (SECOND DEED OF TRUST) UNDER § 506 AND FRBP 3012. The collateral secures a lien against certain property of the Debtors for purposes of this Chapter 13 case. That Order was subject to being set aside until the Debtors obtained a discharge or completed plan payments in this Chapter 13 case. The Debtors having obtained that discharge, the court now therefore enters the following final order: The lien of Wells Fargo Bank, NA as Successor in Interest to Wachovia as Successor in

Interest to World Savings Bank (Second Deed of Trust) regarding the property commonly known as 724 Shumardi Oak Court, Brentwood, CA 94513 and more fully described in "Exhibit A"

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FINAL ORDER ON MOTION TO VALUE COLLATERAL OF WELLS FARGO BANK, NA AS SUCCESSOR IN INTEREST TO WACHOVIA AS SUCCESSOR IN INTEREST TO WORLD SAVINGS BANK (SECOND DEED OF TRUST) UNDER § 506 AND FRBP 3012 13-41687 Doc# 47 Filed: 05/09/18 |

Entered: 05/09/18 14:26:00 Case:

hereto, and which was recorded in Contra Costa County on August 29, 2006 as document number 2006-0273330-00, is hereby determined to be entirely, permanently, and for all other purposes void and unenforceable. *END OF FINAL ORDER*

FINAL ORDER ON MOTION TO VALUE COLLATERAL OF WELLS FARGO BANK, NA AS SUCCESSOR IN INTEREST TO WACHOVIA AS SUCCESSOR IN INTEREST TO WORLD SAVINGS BANK (SECOND

1 2 **EXHIBIT A** 3 LEGAL DESCRIPTION 4 Real property in the City of Brentwood, County of Contra Costa, State of California, described as follows: 5 Lot 86, as shown on the Map of Subdivision 8486, filed February 3, 2005, Map Book 474, Page 10, Contra Costa County Records. 6 Excepting therefrom: 7 Rights conveyed as to that portion thereof described in the Mineral Rights Deed to Alfred Pombo, et al, recorded September 29, 1987, in Book 13933, Page 165, Instrument No. 1987-211805 of 8 Official Records, as follows: 9 "An undivided 50% interest in and to all oil, gas or other hydrocarbon substances, geothermal steams, brines and/or minerals, which may be found below 500 feet beneath the surface of the within described property." 10 Reserving therefrom: 11 1. All remaining oil, gas, geothermal steam, casinghead gas, asphaltum and other hydrocarbons and chemical gas now or hereafter found, situated or located in all or any portion of the lands 12 described herein lying more than five hundred feet (500') below the surface thereof, together with the right to slant drill for and remove all or any of said gas, oil, casinghead gas, asphaltum 13 and other hydrocarbons or chemical gas lying below a depth of more than five hundred feet (500') below the surface thereof including the right to grant leases for all or any of said purposes, but without any right whatsoever to enter upon the surface of said lands or any portion thereof 14 within five hundred feet (500') vertical distance below the surface thereof. 15 2. All overlying and other water rights, including, without limitations, the right to appropriate water and distribute it to other properties without any right to the use of land or rights in/or to any portion of the surface of said land. The owner of the reserved water rights, however, 16 covenants that it will not exercise the rights reserved except below 100 feet from the surface of said land. 17 APN: 007-460-086 18 19 20 21 22 23 24 25 26 27 28 FINAL ORDER ON MOTION TO VALUE COLLATERAL OF WELLS FARGO BANK, NA AS SUCCESSOR

DEED OF TRUST) UNDER § 506 AND FRBP 3012 13-41687 Doc# 47 Filed: 05/09/18 Entered: 05/09/18 14:26:00 Page 3 of 4

IN INTEREST TO WACHOVIA AS SUCCESSOR IN INTEREST TO WORLD SAVINGS BANK (SECOND

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FINAL ORDER ON MOTION TO VALUE COLLATERAL OF WELLS FARGO BANK, NA AS SUCCESSOR IN INTEREST TO WACHOVIA AS SUCCESSOR IN INTEREST TO WORLD SAVINGS BANK (SECOND DEED OF TRUST) UNDER § 506 AND FRBP 3012 13-41687 Doc# 47 Filed: 05/09/18 Entered: 05/09/18 14:26:00 Page 4 of 4